

Clemson University
Clemson, South Carolina

MINUTES

of the meeting of

THE CLEMSON UNIVERSITY

BOARD OF TRUSTEES

Held in the Board Room, Sikes Hall

November 14, 1975

The Board convened at 9:00 a.m. with the following members present: Paul W. McAlister, Chairman, presiding; Robert R. Coker, T. Kenneth Cribb, Lewis F. Holmes, Frank J. Jervy, E. Oswald Lightsey, W. Gordon McCabe, Jr., Buck Mickel, Paul Quattlebaum, Jr., James C. Self, D. Leslie Tindal and James M. Waddell, Jr.

Others present were: Robert C. Edwards, Walter T. Cox, Victor Hurst, Stanley G. Nicholas, Melford A. Wilson, Melvin C. Long, George C. Skelley, Jr., Reginald L. Foster, E. N. Tyndall and Joseph B. McDevitt, Secretary.

Item 1. Executive Session

As required by law, the Chairman entertained a motion that the Board go into Executive Session. The Board adopted the motion by unanimous vote and went into Executive Session to consider revision of its By-Laws and the adoption of a Manual for the Board of Trustees. After deliberations in Executive Session, the Board resumed the open meeting and the Chairman made the following announcements of Board action:

A. The Board rewrote its By-Laws of 1965 in order to reflect amendments adopted in the intervening years, to eliminate Section 3 of Article I as containing extraneous matter and to reflect the reorganization of the Board's Committee structure which was adopted in Executive Session, and reported in the Minutes of the meeting of September 12, 1975.

B. The Board received the recommendations of a special ad hoc committee of its membership, chaired by Mr. Frank J. Jervy, which had been appointed by the Chairman of the Board to draft an organization and operations manual for the Board. The committee presented to the Board a proposed draft Manual based upon recommendations contained in the report of a study conducted by Cresap, McCormick & Paget, Inc. which had been presented to the Board on September 11, 1975. The full Board adopted several modifications to the proposed Manual and agreed that its formal adoption, as well as the formal adoption of the re-written By-Laws, should take place in open session of the Board.

Item 2. Minutes

The minutes of the meeting of September 12, 1975, heretofore submitted by mail to all members of the Board of Trustees, were approved as submitted.

Item 3. Adoption of By-Laws and Trustee Manual

Statement: The Chairman entertained a motion for the adoption by the Board of new By-Laws and a Manual to be entitled "Clemson University, an Organization and Operations Manual for the Board of Trustees."

Board Action: Mr. McCabe moved the motion; Senator Waddell seconded; and the motion was adopted by unanimous vote.

Item 4. Fertilizer Inspection and Analysis

Statement: The Report of the Department of Fertilizer Inspection and Analysis for the period, March 31, 1975 - October 1, 1975, identifies weight and labeling irregularities and suggests fines therefor.

Recommendation of the Administration: That the fines, as suggested, be approved.

Board Action: Approved.

Item 5. Rules and Regulations of the Fertilizer Board of Control

Statement: For a number of years the 6-10-4 grade has been the tobacco plant bed fertilizer used in South Carolina. This grade has been applied at a rate where the amount of chlorine has not been injurious to the small plants when

the fertilizer contained a maximum of .5 percent chlorine. Recent research indicates that a 12-6-6 grade will supply adequate amounts of plant nutrients when plant beds are seeded on old plant bed sites. Since only one-half the amount of 12-6-6 fertilizer is required to supply the same amount of nitrogen as the 6-10-4 grade, 1.0 percent chlorine in the 12-6-6 grade supplies the same amount of chlorine per square foot of plant bed as .5 percent chlorine in the 6-10-4 grade. Research has also indicated that at the recommended fertilizer rates per 1,000 square feet, the total chlorine content even at 1.5 percent chlorine levels will not be great enough to cause damage to tobacco plants.

Fertilizer manufacturers have had difficulty in obtaining materials with which to manufacture extremely low chlorine fertilizers. This situation contributed to an increase in excessive chlorine penalties in 1974-75. Since it is indicated that little damage will occur at the higher maximum chlorine levels, the Fertilizer Advisory Committee recommends that the maximum chlorine for tobacco plant bed fertilizer containing 12 percent or more nitrogen be changed from 1.0 percent to 1.5 percent.

During the past two years there has been a rapid shift in South Carolina from the 6-10-4 tobacco plant bed grade to the 12-6-6 grade. There were 3,034 tons of 6-10-4 and 2,772 tons of 12-6-6 sold in the state in 1974-75 while in 1973-74 there were 3,729 tons of 6-10-4 and 1,890 tons of 12-6-6 sold. It is anticipated that there will be even less 6-10-4 tonnage sold in the 1975-76 year. The 12-6-6 grade more closely supplies major plant nutrients in the proportions needed by most plant bed sites. The 12-6-6 tobacco plant bed grade is also the only plant bed grade sold in North Carolina.

By July 1, 1976 the Fertilizer Advisory Committee feels that the 6-10-4 tobacco plant bed grade will no longer be needed and recommends that this grade be deleted from the approved ratio and minimum analysis list.

Recommendation of the Administration: That the Rules and Regulations heretofore promulgated by the Fertilizer Board of Control and which became effective on October 1, 1975, be confirmed and ratified.

Board Action: Confirmed and ratified.

Item 6. Imported Fire Ant Quarantine

Statement: The professional staff of the South Carolina State Crop Pest Commission has proposed revision, dated July 22, 1975, to the Imported Fire Ant Quarantine, superseding all prior Supplemental Regulations. The only change from the 1974 designation of regulated areas is the expansion of the quarantined area in Darlington County.

Recommendation of the Administration: That the revision of the Supplemental Regulations, dated July 22, 1975, to the Imported Fire Ant Quarantine, superseding all prior Supplemental Regulations, be approved.

Board Action: Approved.

Item 7. Rescission of the White-fringed Beetle Quarantine

Statement: Rescission of the White-fringed Beetle Quarantine is in keeping with action taken by the United States Department of Agriculture, Animal and Plant Health Inspection Service when they rescinded the federal White-fringed Beetle Quarantine, effective July 30, 1975. Only isolated infestations of this pest exist in the state and, currently, it is not causing any economic damage. The professional staff of the Commission recommends rescinding this quarantine, but personnel of the Commission will continue to survey for this pest when conducting various inspections and will recommend specific control measures when deemed appropriate.

Recommendation of the Administration: That the White-fringed Beetle Quarantine be rescinded.

Board Action: Approved.

Item 8. Seed Certification Standards

Statement: The Department of Seed Certification has revised the minimum standards required for the certification of seed and vegetative propagating material for genetic purity and for identification by the Department. The revisions will replace standards adopted by the Board of Trustees in July, 1972.

Recommendation of the Administration: That the General Certification Standards, previously submitted to the Board, be approved and adopted, superseding prior rules and regulations relating to certification of seed and plants.

Board Action: Approved and adopted.

Item 9. Right-of-Way Easement at Camp Long, Aiken County

Statement: Mr. George W. Padgett, Jr. requested a 50-foot right-of-way across Clemson University property at Camp Long in Aiken County. Mr. Padgett's land lies between University property and the Edisto River. He has no access road to his property. He seeks to mortgage the property and the Federal Land Bank will not accept a mortgage until access is obtained. The proposed right-of-way would be 2,924.7 feet immediately adjacent to Interstate Highway I-20. Although no consideration is offered by Mr. Padgett to the University, the road would be constructed entirely at his expense and would benefit the University property. By mail ballot the members of the Board of Trustees authorized the Chairman to execute the right-of-way easement and this was done on October 28, 1975.

Recommendation of the Administration: That the execution of the right-of-way easement by the Chairman of the Board of Trustees to Mr. George W. Padgett, Jr. be confirmed and ratified.

Board Action: Confirmed and ratified.

Item 10. Right-of-Way Easement for City of Clemson and B. R. Skelton

Statement: The City of Clemson and B. R. Skelton have requested the granting of a right-of-way easement 25 feet in width across University lands in the vicinity of the City of Clemson Water Works. The easement is needed for the purpose of installing and maintaining underground utilities, including a water line, sewage lines, electric utility lines and communication lines to serve a community of homes being developed by Dr. Skelton. As consideration the University has requested, and Dr. Skelton has agreed, that he have constructed without cost to the University a fence on the Clemson University side along the entire common boundary, running between the University's property and Dr. Skelton's property. Although the cost of constructing the fence will exceed the fair market value of the 25-foot easement, Dr. Skelton is in agreement that the fence is necessary to protect the Clemson forest from encroachment by the residents who will ultimately occupy the homes in his development. By mail ballot the members of the Board of Trustees authorized the Chairman to execute the easement and this was done on October 28, 1975.

Recommendation of the Administration: That the execution by the Chairman of the Board of Trustees on October 28, 1975, of the right-of-way easement for the City of Clemson and B. R. Skelton be confirmed and ratified.

Board Action: Confirmed and ratified.

Item 11. Student Fees

Statement: A review of the interrelationships among academic fees indicates that it would be appropriate to make upward adjustments in fees for non-resident part-time students and fees for non-resident students auditing courses.

Recommendation of the Administration: In order to improve the relationships among charges to students, it is recommended that the University Fee per semester hour for non-resident part-time students be increased from \$28 to \$33; and that the fee for non-resident students auditing courses be increased from \$14 to \$16.50 per semester hour of the course audited, effective with the summer sessions, 1976.

Board Action: Approved.

Item 12. State Institution Bonds, Request for Issuance

Statement: Specific provision for the issuance of State Institution Bonds is needed at this time in order to help defray costs of essential improvements in the amount of \$2,400,000. The improvements include: (1) the enlargement and improvement of academic, student activity and service facilities; (2) the expansion and improvement of utility systems, walks, drives, parking areas; and (3) the acquisition of additional properties. According to current estimates, approximately \$1,000,000 is needed for the Nursing Building project to defray costs of construction and equipment not covered by Federal grants; and \$600,000 is to cover the cost of property acquired in the Ravenel area. The balance is needed for use on a priority basis for a number of critically needed improvements in the general categories listed above.

Recommendation of the Administration: It is recommended at this time that the Board of Trustees make formal application to the State Budget and Control Board of South Carolina for the issuance of two million, four hundred thousand dollars (\$2,400,000) State Institution Bonds, pursuant to the provisions of Chapter 2, Title 22, Code of Laws of South Carolina, 1962, as amended, by resolution as follows:

Item 13. Bond Anticipation Notes, Request for Issuance

Statement: The issuance of Bond Anticipation Notes is needed to defray the costs of improvements referred to in the Resolution by the Board of Trustees of Clemson University requesting the issuance of \$2,400,000 of State Institution Bonds, which occur prior to the issuance of such bonds.

Recommendation of the Administration: It is recommended that the Board of Trustees make provision for the issuance of Bond Anticipation Notes by resolution as follows:

Item 14. Eligibility for Paul W. McAlister to serve as Chairman of the Board

Statement: Mr. McAlister moved the adoption of the following resolution:

WHEREAS, on September 12, 1975 Paul W. McAlister was elected Chairman of the Board of Trustees pursuant to Article III, Section 2, of the By-Laws of the Board of Trustees of 1965, as amended, and

WHEREAS, the said Section 2 provided for the election of the Chairman of the Board "for a four-year term and thereafter until his successor is elected and qualified," and

WHEREAS, on November 14, 1975 the Board of Trustees adopted new By-Laws replacing the By-Laws of 1965, and

WHEREAS, the By-Laws now provide that the Chairman of the Board shall be elected at the Annual Meeting of the Board of Trustees in odd-numbered years for a two-year term, and that the Chairman shall be ineligible to serve more than three consecutive terms, and

WHEREAS, it is considered advisable to clarify the maximum period of time for which Paul W. McAlister shall be eligible to serve as Chairman of the Board, NOW THEREFORE

BE IT RESOLVED, that, notwithstanding the provisions of Article III, Section 2 of the By-Laws of 1965, as amended, pursuant to which Paul W. McAlister was elected Chairman of the Board, he shall, nevertheless, be eligible to serve as Chairman of the Board of Trustees for a current term to expire with the Annual Meeting in 1977, and shall have additional eligibility to serve, if elected, for not more than two consecutive terms thereafter.

Board Action: Mr. Self moved the motion; Mr. Lightsey seconded, and the resolution was adopted by the Board by unanimous vote.

Item 15. Delegations of Responsibility and Authority to the Vice President for Business and Finance

Statement: The Chairman of the Board moved the adoption of the following resolution:

WHEREAS, Section 3 of Article I of the By-Laws of the Board of Trustees of 1965 contained essential delegations of fiscal responsibility and authority to the Vice President for Business and Finance, and

WHEREAS, the By-Laws of the Board of Trustees adopted this date, November 14, 1975, do not contain the said Section 3 of Article I, and

WHEREAS, it is considered advisable that the fiscal responsibilities and authority heretofore delegated to the Vice President for Business and Finance by the said Section 3 of Article I of the former By-Laws be continued in effect, NOW THEREFORE

BE IT RESOLVED that the Board of Trustees of Clemson University hereby confirms and ratifies all proper actions taken and otherwise performed by the Vice President for Business and Finance of Clemson University pursuant to delegations of authority contained in Section 3, Article I of the By-Laws of the Board of Trustees of 1965, and

BE IT FURTHER RESOLVED that the following delegations of responsibility and authority are hereby made:

The Vice President for Business and Finance is the chief fiscal officer of the University, appointed by and serving under the President of the University and responsible for the financial planning of all phases of the administration of the University. He shall have general management of the business affairs of the University. In particular, he shall prepare the annual budget of the University for the approval of the President of the University and submission to the Board of Trustees, and shall be responsible for the administration of the budget and expenditures in accordance therewith, for accounting, purchases, non-academic personnel administration, inventory, insurance, auditing, and for the operation of University housing, dining halls, motor pool and business services and enterprises, including the Clemson House. He shall have supervision of safety and security programs and shall be

responsible for all buildings, grounds, utilities and equipment of the University and for all repairs, alterations and new construction. He shall be custodian of the deeds, moneys and securities of the University and shall be responsible for the proper application of the principal and income of all gifts, bequests, devises, and trust funds held by the University for restricted purposes. He is authorized to execute in the name of Clemson University contracts and other instruments in writing pertaining to matters committed to his charge by this Resolution or by action of the Board, but not including those instruments affecting interest in lands, which authority is reserved to the Chairman of the Board of Trustees.

Board Action: Mr. Mickel moved the motion; Mr. Jervey seconded, and the Board adopted the resolution by unanimous vote.

Item 16. Resignation of Frank J. Jervey

Mr. Frank J. Jervey announced his immediate resignation as a Life Member of the Board of Trustees. Mr. Jervey stated that he was approaching age eighty-two, and that his action stemmed from a burning desire to make it possible for someone else to do for Clemson University what he was no longer able to do. The Board of Trustees gave Mr. Jervey a standing vote of acclamation in recognition of his long and valuable service to his alma mater.

Item 17. Resolution of Appreciation for James Oscar Wynn

Statement: Mr. Jervey recommended that the Board adopt a resolution of appreciation for the valuable contributions made to Clemson University by Mr. James O. Wynn in his capacity as an officer of the Olin Foundation, who died on October 16, 1975, and that the resolution be provided to Mr. Wynn's family and to the Foundation.

Board Action: Approved.

Item 18. Statutory Roll Call Vote

Resolution: RESOLVED, that all measures and recommendations made at this, the November 14, 1975 meeting, which according to the By-Laws require a roll call vote of nine or more members, be hereby adopted and confirmed, and that the Vice President for Business and Finance be authorized to issue his checks for all expenditures authorized at this meeting.

Board Action: The Resolution was adopted with twelve members present voting "Aye."

Item 19. Adjournment

There being no further business, the meeting of the Board was adjourned.

Respectfully submitted,



Joseph B. McDevitt
Secretary of the Board of Trustees